

**FRANK LAWYERS
WORK
ON CLEMENCY
PETITION**

Final Move to Save
Condemn-
ed Man Discussed at
Con-
ference Tuesday
Night

Preparation of Leo M. Frank's Petition to the State Prison Commission for Executive Clemency was begun at a Conference of his Attorneys Tuesday evening. Although Frank's Attorneys are

fully confident their client is innocent of the murder of Mary Phagan, for which he was convicted, they will not, it is believed, ask for a pardon but will apply for a Commutation of his sentence to life imprisonment.

This Course, it is understood, will be followed because the Attorneys feel that in the face of the adverse action of the various Courts of Appeal they could hardly hope for a pardon. They will, it is said, contend that in only the original trial was the question of Frank's guilt or innocence ever in issue; that all subsequent Court action dealt solely with questions of law; and that the late Judge L. S. Roan, who presided over Frank's trial, at the conclusion of the trial was in doubt as to Frank's guilt.

The plea for a commutation to life imprisonment will, it is said, be based on the ground that this is the alternative penalty prescribed by the law for the Crime of which Frank was convicted, and that such a Commutation will give him the benefit of any doubt as to his guilt and afford him the opportunity for time and future developments to determine whether he is innocent as he and his friends maintain.

All of the Atlanta Attorneys who have represented Frank in the various phases of his fight for life will, it is said, continue in the Case until his Application for Executive Clemency is finally passed on by the Governor.

Who will be selected to argue Frank's Petition before the Prison Commission and the Governor has not been determined. It is expected the Petition will be formally filed with the Commission within the next few days. The Commission will then set a date for the Hearing.

It was stated at the Offices of the Prison Commission Wednesday that in the event Frank's Petition is filed within a week or ten days it will not be set for a hearing before the May term, which begins on Monday, May 3, and continues through that week, and that a hearing on the Petition might not occur until the June term, which begins Monday, June 7. There was, it was stated,

a possibility but slight probability that the Commission would hold
a Special called session between these terms to hear the Case.